# No. 15

# **MICHIGAN SENATE**

# DAILY CALENDAR

THURSDAY, FEBRUARY 21, 2002 10:00 a.m.

# CONFERENCE REPORTS \_\_\_\_ 1 \_\_\_\_ SJR D Sen. McCotter State; employees and officers; adoption of state officers compensation commission recommendation for next legislative session; require legislature approval. Amends sec. 12, art. IV of the state constitution. Conference report received in the Senate, Wednesday, October 24, 2001; laid over under the rules. For text of conference report, see Senate Journal No. 74 of 2001, page 1873. Adoption pending. THIRD READING OF BILLS HB SB 503 Sen. Garcia Financial institutions; other; regulation of deferred presentment service transaction; provide for. Creates new act. Reported by Committee on Banking and Financial Institutions. Senate substitute (S-7). For Senate amendment, see Senate Journal No. 73 of 2001, page 1852. Committee recommended I.E. \_\_\_ 3 \_\_\_\_\_ SB 865 Sen. Peters Local government; bonds; bonding authority of county departments of solid waste management; modify. Amends secs. 7, 8 & 9 of 1989 PA 186 (MCL 45.587 et Reported by Committee on Finance. Committee recommended I.E. — 4 — HB 5404 Rep. Allen Local government; bonds; bonding authority of the revised school code; modify. Amends sec. 442 of 1976 PA 451 (MCL 380.442). I.E. House, February 5, 2002.

Local government; bonds; bonding authority of school

districts to pay for loans from state; modify.

I.E. House, February 5, 2002.

Amends sec. 4 of 1961 PA 108 (MCL 388.954).

House substitute (H-1).

**HB** 5405 Rep. Bishop

# THIRD READING OF BILLS — 6 —— HB 5406 Rep. DeVuyst Local government; bonds; bonding authority for emergency loans for school districts; repeal. Repeals 1973 PA 12 (MCL 388.251 - 388.271). I.E. House, February 5, 2002. HB 5407 Rep. Gilbert Local government; bonds; bonding authority of the revised school code; modify. Amends sec. 629 of 1976 PA 451 (MCL 380.629). I.E. House, February 5, 2002. House substitute (H-1). **5408** Rep. Howell Local government; bonds; bonding authority of the revised school code; modify. Amends sec. 687 of 1976 PA 451 (MCL 380.687). I.E. House, February 5, 2002. House substitute (H-1). — 9 —— HB 5409 Rep. Koetje Local government; bonds; bonding authority of the revised school code; modify. Amends sec. 1215 of 1976 PA 451 (MCL 380.1215). I.E. House, February 5, 2002. **HB** 5410 Rep. Middaugh

I.E. House, February 5, 2002.

HB 5411 Rep. Mortimer
Local government; bonds; bonding authority of the revised school code; modify.
Amends sec. 1225 of 1976 PA 451 (MCL 380.1225).
I.E. House, February 5, 2002.

HB 5412 Rep. Van Woerkom

vised school code; modify.

Local government; bonds; bonding authority of the revised school code; modify.

Local government; bonds; bonding authority of the re-

Amends sec. 1216 of 1976 PA 451 (MCL 380.1216).

Amends sec. 1227 of 1976 PA 451 (MCL 380.1227).

I.E. House, February 6, 2002.

#### THIRD READING OF BILLS

\_\_\_\_ 13 \_\_\_\_\_

# HB 5413 Rep. Vear

Local government; bonds; bonding authority of the revised school code; modify.

Amends sec. 1351 of 1976 PA 451 (MCL 380.1351).

I.E. House, February 6, 2002.

House substitute (H-1).

\_\_\_\_ 14 \_\_\_\_\_

# HB 5414 Rep. Thomas

Local government; bonds; bonding authority of the revised school code; modify.

Amends sec. 1351a of 1976 PA 451 (MCL 380.1351a).

I.E. House, February 6, 2002.

House substitute (H-1).

\_\_\_\_ 15 \_\_\_\_\_

### **HB 5415** Rep. Kolb

Local government; bonds; bonding authority of the revised school code; modify.

Amends sec. 1356 of 1976 PA 451 (MCL 380.1356).

I.E. House, February 6, 2002.

House substitute (H-1).

# **HB** 5416 Rep. Lemmons

Local government; bonds; bonding authority of the revised school code; modify.

Amends sec. 1362 of 1976 PA 451 (MCL 380.1362).

I.E. House, February 6, 2002.

\_\_\_\_ 17 \_\_\_\_

#### **5417** Rep. Lipsey HB

Local government; bonds; bonding authority of the revised school code; modify.

Amends sec. 1363 of 1976 PA 451 (MCL 380.1363).

I.E. House, February 6, 2002.

\_\_\_\_ 18 \_\_\_\_\_

### **HB** 5418 Rep. Rivet

Local government; bonds; bonding authority of the revised school code; modify.

Amends sec. 1731 of 1976 PA 451 (MCL 380.1731).

I.E. House, February 6, 2002.

House substitute (H-1).

\_\_\_\_ 19 \_\_\_\_\_

## **HB** 5419 Rep. Waters

Local government; bonds; bonding authority of the school aid act; modify.

Amends sec. 17a of 1979 PA 94 (MCL 388.1617a).

I.E. House, February 6, 2002.

- 20 -

# HB 5420 Rep. Zelenko

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 122 of 1966 PA 331 (MCL 389.122).

I.E. House, February 7, 2002.

House substitute (H-1).

— 21 —

# HB 5421 Rep. Kuipers

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 126 of 1966 PA 331 (MCL 389.126).

I.E. House, February 7, 2002.

House substitute (H-1).

#### THIRD READING OF BILLS

<del>\_\_\_\_ 22 \_\_\_\_\_</del>

# HB 5422 Rep. Meyer

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 127 of 1966 PA 331 (MCL 389.127).

I.E. House, February 7, 2002.

- 23 —

#### **5423** Rep. Pumford HB

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 144 of 1966 PA 331 (MCL 389.144).

I.E. House, February 7, 2002.

- 24 -----

# SB 891 Sen. McCotter

Legislature; auditor general; reference to auditor general regarding brine pipeline companies; eliminate.

Amends secs. 22, 23 & 24 of 1881 PA 182 (MCL 483.222 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

— 25 ———

# SB 893 Sen. McCotter

Legislature; auditor general; reference to auditor general in the revised judicature act of 1961; eliminate.

Amends secs. 2123, 2558, 6458 & 6461 of 1961 PA 236 (MCL 600.2123 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

— 26 –

### SB 917 Sen. McCotter

Legislature; auditor general; reference to duties of the auditor general regarding certain purchases of state land; eliminate.

Amends secs. 1, 2, 3 & 4 of 1907 PA 130 (MCL 211.451

**Reported by Committee on Government Operations.** Committee recommended I.E.

\_\_\_\_ 27 \_\_\_\_\_

# SB 1030 Sen. McCotter

Crimes; other; provisions relating to prize fighting; repeal.

Repeals secs. 442, 443, 444, 445, 446 & 447 of 1931 PA 328 (MCL 750.442 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

— 28 –

### SB 1031 Sen. McCotter

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of prize fighting and training for prize fighting; eliminate.

Amends sec. 16v, ch. XVII of 1927 PA 175 (MCL 777.16v).

Reported by Committee on Government Operations. Committee recommended I.E.

# SB 1036 Sen. McCotter

Vehicles; other; prohibition against displaying an emblem or insignia on motor vehicles; limit application to certain fraternal and nonprofit organizations.

Amends sec. 3 of 1929 PA 269 (MCL 430.53).

— 29 —

Reported by Committee on Government Operations. Committee recommended I.E.

#### THIRD READING OF BILLS

— 30 ——

# **HB** 5205 Rep. Gilbert

Transportation; carriers; number of axles allowed on certain designated highways; clarify.

Amends sec. 719 of 1949 PA 300 (MCL 257.719).

I.E. House, January 29, 2002.

For House amendment, see House Journal No. 5, page 70.

Reported by Committee on Transportation and Tourism. **Committee recommended I.E.** 

# (Eligible for passage Monday, February 25.)

SB 1100 Sen. Gast

Appropriations; community colleges; community and junior colleges; provide for fiscal year 2002-2003.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

# (Eligible for passage Monday, February 25.)

1105 Ŝen. Schwarz

Appropriations; higher education; higher education; provide for fiscal year 2002-2003.

Reported by Committee on Appropriations.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 14, page 362.

**Committee recommended I.E.** 

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# SB 809 Sen. Garcia

Law enforcement; local police; exemption of weapons used by law enforcement officers; revise.

Amends sec. 231 of 1931 PA 328 (MCL 750.231).

Reported by Committee on Judiciary.

Committee recommended I.E.

— 34 —

### 1028 Sen. McCotter

Crimes; penalties; penalties for crimes when not fixed by statute; increase.

Amends secs. 503 & 504 of 1931 PA 328 (MCL 750.503 & 750.504).

Reported by Committee on Judiciary. Committee recommended I.E.

— 35 —

#### 4690 Rep. LaSata HB

State; interstate compacts and agreements; Michigan participation in the interstate compact for adult offenders supervision; establish.

Creates new act.

Reported by Committee on Judiciary. Committee recommended I.E.

— 36 ——

# HB 4859 Rep. Julian

Corrections; employees; record of controlled substance offenses that were subject to dismissal and discharge; allow to be used by department of corrections for specified pur-

Amends sec. 7411 of 1978 PA 368 (MCL 333.7411).

I.E. House, October 31, 2001.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

#### THIRD READING OF BILLS

<del>\_\_\_ 37 \_\_\_\_\_</del>

# HB 5393 Rep. Faunce

Criminal procedure; sentencing guidelines; technical amendments; provide for.

Amends sec. 12, ch. XVII of 1927 PA 175 (MCL 777.12) & adds secs. 12a, 12b, 12c, 12d, 12e, 12f, 12g, 12h, 12j & 12k to ch. XVII.

I.E. House, December 6, 2001.

House substitute (H-3).

Reported by Committee on Judiciary.

Senate substitute (S-1).

For Senate amendments, see Senate Journal No. 14, page 363.

Committee recommended I.E.

### **GENERAL ORDERS**

\_\_\_\_ 38 \_\_\_\_\_

#### HB **4698** Rep. Allen

Economic development; brownfield redevelopment authority; work plan approval; establish criteria.

Amends sec. 15 of 1996 PA 381 (MCL 125.2665).

I.E. House, May 24, 2001.

House substitute (H-2).

Reported by Committee on Economic Development, **International Trade and Regulatory Affairs.** 

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 39 \_\_\_\_\_

### SB 750 Sen. Gast

State; funds; budget stabilization fund withdrawal; allow. Amends sec. 353c of 1984 PA 431 (MCL 18.1353c).

Reported by Committee on Appropriations.

For Senate amendment, see Senate Journal No. 76 of 2001, page 1910.

Committee recommended I.E.

40 ———

#### SB 438 Sen. Steil

Education; board members; school elections; require to be held with general election, make other revisions in school elections, and repeal certain election provisions in school code.

Amends secs. 4, 5, 6, 11a, 503, 613, 616, 617, 661, 681, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722 & 1732 of 1976 PA 451 (MCL 380.4 et seq.); adds secs. 629a, 1206 & 1351c & repeals sec. 662 & pts. 12 - 14 of 1976 PA 451 (MCL 380.662 & 380.1001 - 380.1106).

Reported by Committee on Government Operations. Senate substitute (S-1). - 41 -----

SB

# 439 Sen. Hammerstrom

Elections; other; number of election days per year; limit and provide other general amendments.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 644.

Reported by Committee on Government Operations. Senate substitute (S-1).

#### **GENERAL ORDERS**

#### SB 440 Sen. Steil

Elections; school; chapter in election law regulating school elections; create and provide other general amendments.

Amends secs. 3, 321, 322, 358a, 370, 381, 382, 538, 635, 644b, 644c, 644e, 644g, 646a, 963 & 971 of 1954 PA 116 (MCL 168.3 et seq.); adds secs. 17 & 643b & ch. XIV & repeals secs. 4, 5, 325, 348, 639, 640, 644j - 646 & 646b of 1954 PA 116 (MCL 168.4 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-2).

\_\_\_\_ 43 \_\_\_\_\_

### SB 441 Sen. McManus

Elections; local; election consolidation; provide for home rule cities elections.

Amends secs. 3, 8, 11, 21, 25 & 26 of 1909 PA 279 (MCL 117.3 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-1).

# SB 442 Sen. McManus

Elections; local; election consolidation; provide for home rule village elections.

Amends secs. 4, 7, 21 & 23 of 1909 PA 278 (MCL 78.4 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-1).

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### SB 443 Sen. McManus

Elections; local; election consolidation; provide for general law village elections.

Amends secs. 1, 5 & 13, ch. II, secs. 1, 2, 3 & 7, ch. III, sec. 23, ch. IX, sec. 3, ch. XII & sec. 18a, ch. XIV of 1895 PA 3 (MCL 62.1 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-1).

#### SB 444 Sen. Bennett

Higher education; community colleges; scheduling, conducting, and canvassing of community college elections; revise procedures.

Amends secs. 2, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144 & 152 of 1966 PA 331 (MCL 389.2 et seq.) & repeals secs. 20, 40 & 60 of 1966 PA 331 (MCL 389.20 et seq.).

Reported by Committee on Government Operations.

### SB 760 Sen. Bennett

Elections; school; consolidation of school elections and general elections; provide for in election law.

Amends secs. 30a, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 544c, 644k, 690, 862, 863, 954 & 972 of 1954 PA 116 (MCL 168.30a et seq.) & repeals sec. 758c of 1954 PA 116 (MCL 168.758c).

Reported by Committee on Government Operations.

#### **GENERAL ORDERS**

#### SB 644 Sen. Steil

Employment security; benefits; coverage for federally recognized Indian tribes; expand act to include.

Amends secs. 41 & 42 of 1936 (Ex Sess) PA 1 (MCL 421.41 & 421.42) & adds sec. 13*l*.

Reported by Committee on Human Resources and Labor.

Senate substitute (S-4).

Committee recommended I.E.

### SB 690 Sen. Steil

State; authorities; authority to oversee the business operations of Detroit metropolitan Wayne county airport; create.

Amends sec. 133 of 1945 PA 327 (MCL 259.133) & adds secs. 126d, 126e, 126f, 126g, 126h, 126i & 126j.

Reported by Committee on Detroit Metro Airport Review.

Senate substitute (S-6).

Committee recommended I.E.

**—** 50 **—** 

# SB 883 Sen. Sanborn

Insurance; other; creditor-placed insurance; provide for. Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding ch. 16.

Reported by Committee on Financial Services. Committee recommended I.E.

<del>\_\_\_\_ 51 \_\_\_\_\_</del>

# **HB** 5216 Rep. Patterson

Elections; voting equipment; uniform statewide voting system; provide for.

Amends secs. 577, 578, 580, 626, 661, 691, 738, 770, 770a, 771, 772, 773, 776, 781, 786, 789, 790, 791, 792, 793, 795, 795a, 796a, 797, 797a, 798b, 798c & 799a of 1954 PA 116 (MCL 168.577 et seq.); adds sec. 17 & repeals secs. 584, 585, 586, 587, 717a, 739, 769a, 775, 779, 782a, 782b, 783, 784, 787, 788, 792a, 794, 794a, 794b, 794c & 799 of 1954 PA 116 (MCL 168.584 et seq.).

I.E. House, December 6, 2001.

House substitute (H-3).

Reported by Committee on Government Operations. Senate substitute (S-4).

Committee recommended I.E.

# HB 5335 Rep. Richner

Elections; ballots; notification to all candidates regarding ballot designation for candidates with similar name; require.

Amends secs. 561 & 696 of 1954 PA 116 (MCL 168.561 & 168.696).

I.E. House, December 6, 2001.

House substitute (H-2).

Reported by Committee on Government Operations.

Committee recommended I.E.

\_\_\_\_ 53 \_\_\_\_

# SB 835 Sen. Garcia

Local government; bonds; bonding authority of tax increment finance authorities; modify.

Amends sec. 15 of 1980 PA 450 (MCL 125.1815).

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 54 \_\_\_\_\_

#### SB 860 Sen. Bullard

Local government; bonds; bonding authority of down-town development authorities; modify.

Amends secs. 12 & 16 of 1975 PA 197 (MCL 125.1662 & 125.1666).

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

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# SB 861 Sen. Shugars

Local government; bonds; bonding authority under local development financing act; modify.

Amends sec. 14 of 1986 PA 281 (MCL 125.2164).

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

# RESOLUTIONS

\_\_\_\_ 56 \_\_\_\_\_

#### SCR 11 Sen. Stille

A concurrent resolution to establish a special joint committee to evaluate the Michigan State Fairgrounds and the pending sale of adjacent property.

Returned from House with substitute (H-1), Wednesday, May 9, 2001; laid over under the rules.

For text of resolution, see Senate Journal No. 27 of 2001, page 296.

# **COMMITTEE REPORTS**

\_\_\_\_\_ 57 \_\_\_\_\_

### **HB** 4987 Rep. Bishop

Occupations; real estate; procedure for a deposit held by an escrowee; clarify.

Amends sec. 2512 of 1980 PA 299 (MCL 339.2512).

I.E. House, December 11, 2001.

For House amendment, see House Journal No. 85 of 2001, page 2576.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

5

#### HB 5119 Rep. Rocca

Liquor; licenses; small distillery license fee; decrease. Amends sec. 525 of 1998 PA 58 (MCL 436.1525).

I.E. House, November 1, 2001.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

<del>\_\_\_\_ 59 \_\_\_\_\_</del>

# SB 1094 Sen. Schwarz

Transportation; carriers; front loading device or boom; prohibit movement on highway under certain conditions.

Amends sec. 720 of 1949 PA 300 (MCL 257.720).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 60 \_\_\_\_\_

# SB 1096 Sen. Hammerstrom

Disabilities; travel aids used by blind persons; include walkers.

Amends secs. 1a & 2 of 1937 PA 10 (MCL 752.51a & 752.52).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# HB 4022 Rep. Jamnick

Traffic control; speed restrictions; speed limits; allow input by townships in setting certain speed limits.

Amends sec. 628 of 1949 PA 300 (MCL 257.628).

I.E. House, October 16, 2001.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

62 —

# HB 4037 Rep. Faunce

Traffic control; driver license; penalties for an individual who reproduces, alters, counterfeits, forges, or duplicates a license photograph; increase.

Amends sec. 310 of 1949 PA 300 (MCL 257.310).

I.E. House, December 11, 2001.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

63

# HB 5337 Rep. Gilbert

Transportation; carriers; weight restrictions on certain highways or roads; revise.

Amends sec. 722 of 1949 PA 300 (MCL 257.722).

I.E. House, January 22, 2002.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SCHEDULED MEETINGS

**Appropriations -** Wednesday, February 27, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

#### Subcommittees -

**Community Health -** Thursday, February 21, 1:30 p.m.; Monday, March 11, 3:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-1777)

**Corrections -** Wednesday, February 27, 1:00 p.m., Room 100, Farnum Building, and Tuesday, March 5, 1:00 p.m., Room 210, Farnum Building (373-2413)

**Environmental Quality -** Tuesdays, February 26 and March 5, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**Higher Education** - Friday, February 22, 9:30 a.m., Oakland University, Library Drive, 242 Elliott Hall, Rochester; Friday, March 1, 10:00 a.m., Calvin College, 3201 Burton S.E., Hekman Library, Meeter Center Lecture Hall, Grand Rapids; and Friday, March 8, 9:30 a.m., University of Michigan-Ann Arbor, 909 S. University Drive, William L. Clements Library, Ann Arbor (373-3447)

#### **SCHEDULED MEETINGS**

**Natural Resources -** Wednesdays, February 27 and March 6, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**School Aid and Department of Education -** Tuesdays, February 26 and March 5, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1635)

**Families, Mental Health and Human Services -** Wednesday, February 27, 3:00 p.m., Room 100, Farnum Building (373-3543)

#### **BILLS IN CONFERENCE** Conferees Report Agreed To Bill No. **Brief Title** Senate House Senate House State; employees and officers; adoption of SJR D McCotter Patterson SOCC recommendation for next legislative Sikkema Bisbee session; require legislature approval. Leland Jacobs HB 4042 Consumer protection: home solicitation sales: **Emmons** Bradstreet do not call register; create. Faunce Steil Cherry Rivet HB 4632 Bradstreet Consumer protection; home solicitation sales; **Emmons** violation of home solicitation sales statute; Faunce Steil prohibit as unfair practice. Cherry Rivet